

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

DORTHY SESSOMS and GAYLE	)	
ALLMAN, on behalf of themselves	)	
and all others similarly situated,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	NO. 3:05-0257
	)	JUDGE ECHOLS
GHERTNER & COMPANY, FRANK	)	
GHERTNER, STEVEN GHERTNER, and	)	
SCOTT GHERTNER,	)	
	)	
DEFENDANTS.	)	

ORDER

For the reasons set forth in the Memorandum issued contemporaneously herewith, the Court rules as follows:

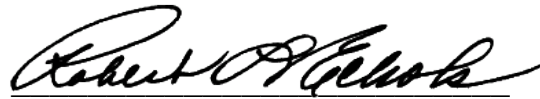
(1) Plaintiffs' Motion for Partial Summary Judgment (Docket Entry No. 12) is hereby DENIED.

(2) Plaintiffs' Motion to Strike Declarations of Florence Williams, Margaret Heath, and Judy Conditt (Docket Entry No. 23) is hereby DENIED; however, Plaintiffs are hereby GRANTED LEAVE TO DEPOSE those three witnesses and any such depositions shall occur within twenty (20) days of the date of entry of this Order; and

(3) Defendants' Motion for Attorneys' Fees and Costs (Docket Entry No. 28) is hereby DENIED.

This case is hereby returned to the Magistrate Judge for further proceedings consistent with Local Rule 11 to ensure this case is ready for the non-jury trial commencing at 9:00 a.m. on June 13, 2005, and the final pretrial conference scheduled for May 15, 2006, at 2:30 p.m.

It is so ORDERED.

A handwritten signature in black ink, appearing to read "Robert L. Echols", written in a cursive style.

ROBERT L. ECHOLS  
UNITED STATES DISTRICT JUDGE